



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Agenda CITY COUNCIL

R. Steve Tumlin, Mayor
Annette Paige Lewis, Ward 1
Griffin "Grif" L. Chalfant, Jr., Ward 2
Johnny Sinclair, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony C. Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, April 13, 2011

7:00 PM

Council Chamber

CALL TO ORDER:

INVOCATION:

Council Member Philip M. Goldstein, Ward 7

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

20110240 Service Award

Presentation of a Service Award to Roy L. Shults for his service and dedication on the Board of Zoning Appeals.

20110241 Service Award

Presentation of a Service Award to Millard W. Slayton for his service and dedication on the Board of Zoning Appeals.

20110256 Graduates of the spring 2011 Citizens' Government Academy are

Frank Baltz	Michelle Kelly
Ginny Baltz	Larry Landis
Barbara Baldwin	Donna Landis
George Bentley	Trevor Leonard
Walter Boyd	Martir Machado
Angell Brown	Linda Morneau
Paola Cardenas	Bob Norton
Marilyn Carney	Barbara Norton
Bob DuPriest	Melissa O'Neil
Sheila DuPriest	Patty Powers
Karen Hinton	Andrew Thompson
Carol Holley	William Vazquez
April Hunter	Tricia Veller
Colin Hunter	Yea Yang

PROCLAMATIONS:**20110186 Alcohol Awareness Month April 2011**

Mayor Tumlin presents a Proclamation to Judge Stedman recognizing April 2011 as Alcohol Awareness Month helping to raise community awareness and to encourage citizens to join with the Cobb Alcohol Taskforce in efforts to reduce underage and youth binge drinking rates in our community.

20110255 Helen Ruffin Reading Bowl Championship

Mayor Tumlin presents a Proclamation to Dr. Emily Lembeck, Marietta High School Superintendent and Mrs. Leigh Colburn, Marietta High School Principal, recognizing Marietta High School students who won state championship for the Helen Ruffin Reading Bowl held at the University of Georgia.

ANNOUNCEMENTS OF GENERAL COMMUNITY INFORMATION BY THE MAYOR, COUNCIL AND/OR CITY MANAGER:**CONSENT AGENDA:**

Consent agenda items are marked by an asterisk (*). Consent items are approved by majority of council. A public hearing will be held only for those items marked by an asterisk that require a public hearing (also noted on agenda).

MINUTES:

* **20110307 Regular Meeting - March 9, 2011**

Review and approval of the March 9, 2011 regular meeting minutes.

* **20110308 Special Called Meeting - March 29, 2011**

Review and approval of the March 29, 2011 special called 5:15 p.m. meeting minutes.

Council members Lewis and Goldstein abstaining.

* **20110309 Special Called Meeting - March 29, 2011**

Review and approval of the March 29, 2011 special called 8:30 p.m. meeting minutes.

Council members Lewis and Goldstein abstaining.

MAYOR'S APPOINTMENTS:

CITY COUNCIL APPOINTMENTS:

* **20110226 Board of Appeals- Construction, Building, Electric and Plumbing**

Reappointment of Gordon Brans (Ward 3), Chris Poston (Ward 4), and Allen Worthy (Ward 5) to the Board of Appeals - Construction, Building, Electric, and Plumbing for a term of five (5) years.

* **20110229 Board of Lights and Water (BLW)**

Reappointment of Bruce E. Coyle to the Board of Lights and Water (Resident Member), for a four (4) year term expiring May 11, 2015.

* **20110257 Marietta Development Authority**

Reappointment of Steven F. McNeel (Post 1) and Ed Hammock (Post 2) to the Marietta Development Authority for a term of two (2) years.

ORDINANCES:

*** 20110064 CA2011-03 [CODE AMENDMENT] Amending the Comprehensive Development Code regarding Division 712, Section 712.08 Tree Protection and Landscaping**

Approval of an Ordinance CA2011-03 [CODE AMENDMENT] amending the Comprehensive Development Code of the City of Marietta, Division 712 (Supplementary Use Regulations) Section 712.08 (Tree protection and landscaping).

Planning Commission recommends approval Vote: 4-0-0

Motion: Mr. Kinney made a motion, seconded by Mr. Gillis, to recommend to City Council that the proposed amendment be approved, as submitted.

Stipulations: N/A

PUBLIC HEARING (all parties are sworn in)

RESOLUTIONS:

CITY ATTORNEY'S REPORT:

CITY MANAGER'S REPORT:

MAYOR'S REPORT:

COMMITTEE REPORTS:

1. Economic/Community Development: Grif Chalfant, Chairperson

*** 20110220 Urban Redevelopment Plan**

Resolution approving a request from the Marietta Housing Authority to amend the Urban Redevelopment Plan to include Henderson Arms Development and surrounding properties.

Council Member Goldstein abstaining.

*** 20110238 Housing Choice Voucher Program Annual Plan Approval**

Resolution approving the FY2012 Annual Plan for the City of Marietta Housing Choice Voucher Program.

Public Hearing Required

* **20110267 CDBG Slum and Blight Demolition Approval**

Resolution approving the use of FFY'08 CDBG Slum and Blight Clearance funds for the demolition of eight (8) properties on the attached list.

2. Finance/Investment: Annette Lewis, Chairperson

* **20110258 Tree Compliance Fund**

Approval of an Ordinance amending the Fiscal Year 2011 Tree Preservation Fund budget to receive and appropriate a donation from R.H. Ledbetter Properties, Inc.

3. Judicial/Legislative: Philip M. Goldstein, Chairperson

* **20110268 Authorization of advertisement**

Motion to authorize advertisement to Division 714, Section 714.03 Signs exempt from permit regulations, Section 714.05 Special Conditions, and Section 714.06 Prohibited Signs.

20110152 Amending City Code Part 8 (Business Licenses, Occupational Taxes, and Regulations)

Approval of an Ordinance to amend Section 8-4-600, Denial/Revocation for Non-Payment of Business Licenses, Occupational Taxes, and Regulations.

4. Parks, Recreation and Tourism: Johnny Sinclair, Chairperson

5. Personnel/Insurance: Van Pearlberg, Chairperson

* **20110252 Employment Agreement**

Motion to approve the amended Employment Agreement with William F. Bruton, Jr., City Manager.

6. Public Safety Committee: Anthony Coleman, Chairperson

7. Public Works Committee: Jim King, Chairperson

* **20110248 Naming Non-Street Keith School Lane**

Motion to dedicate Keith School Lane as a public one-way street having a 25 mile per hour speed limit and a 30 foot wide right of way as described on the attached Keith School Lane Right of Way Description and Right of Way Sketch.

* **20110250 Franklin Road LCI Project Framework Agreement**

Motion to approve the Franklin Road LCI Project Framework Agreement detailing the costs and matching funds for the project.

* **20110251 Electric Car Space on the Square**

Motion to approve request to designate electric vehicle only parking space on East Park Square.

SCHEDULED APPEARANCES:

UNSCHEDULED APPEARANCES:

OTHER BUSINESS:

20110244 V2011-13 The Neon Zone, Inc., (Mohomad Rohoman), 1200 Franklin Road

Motion to approve the following variances for property located in Land Lot 07140, District 17, Parcel 0050 and being known as 1200 Franklin Road.

1. Variance to allow a pylon sign.
2. Variance to increase the allowable height for a freestanding sign from 10' to 26' 6".
3. Variance to increase the allowable sign face area from 50 s.f. to 154 s.f.
4. Variance to exclude the address numbers on the sign.

20110263 Request for Proclamation

Approval of a Proclamation for Lemon Street School with signatures from all members of council as requested by Council Member Anthony Coleman.

* **20110342 390 Roswell Street**

Motion authorizing the exchange of Permanent Landscape Easement and Temporary Construction Easement at 390 Roswell Street with Corn Enterprises for the purpose of constructing the Roswell Street Widening from Olive Street to Merritt Street project.

Mayor Tumlin disclosed that his law firm has represented Corn Enterprises regarding other legal issues and abstains from any discussion regarding this matter.

* **20110343 547 Roswell Street**

Motion authorizing the exchange and acquisition of right-of-way and property at 547 Roswell Street with Masonic Temple for the purpose of constructing the Roswell Street Widening from Olive Street to Merritt Street project in exchange for \$2,917.05.

* **20110310 BLW Actions of April 11, 2011**

Review and approval of the April 11, 2011 actions and minutes of the Marietta Board of Lights and Water.

ADJOURNMENT: